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Certificate of Facsimile

I hereby certify that this correspondence is being facsimile-transmitted to the Commissioner for Patents and Trademarks at 571-273-8300 on the below date:

Date: January 29, 2007 Name: Carolyn Beason-Held

Signature: *Carolyn Beason-Held*

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Darin G. Schaeffer, et al.**

Appln. No.: **10/769,962**

Filed: **February 2, 2004**

For: **TRACHEOSTOMY TUBE AND LOADING DILATOR**

Examiner: **Ali, Shumaya B.**

Art Unit: **3743**

Attorney Docket No: **10703/042 (PA-53-75-RFB)**

Mail Stop Amendment AF
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Request for Reconsideration;(10 pages including Transmittal)
☐ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or surcharge in an amount of \$_____ under 37 C.F.R. § 1.16(e).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total	30	Minus	31	0	x \$25=			x \$50=	
Indep.	4	Minus	4	0	x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+ \$180=			+ \$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ to cover the above-identified fee(s) is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Jan. 29, 2007

Date

Lawrence A. Steward
 Lawrence A. Steward (Reg. No. 32,309)

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Carolyn Beason-Wright

AMENDMENT UNDER 37 C.F.R. 1.116
EXPEDITED RESPONSE

Our Case No.: 10703/042 (PA-5375-RFB)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Darin G. Schaeffer, et al.

Serial No.: 10/769,962

Filing Date: February 2, 2004

For: TRACHEOSTOMY TUBE AND
LOADING DILATOR

Examiner: Ali, Shumaya B.

Group Art Unit No.: 3743

REQUEST FOR RECONSIDERATION

MAIL STOP AMENDMENT AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the final Office Action mailed January 10, 2007.

No amendments to the claims are presented in this paper. The listing of claims begins on page 2.

Remarks/Arguments begin on page 6 of this paper.